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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,096	06/20/2003	Norbert Steven Parsoneault	STL 3187	9171

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EXAMINER

LAM, THANH

ART UNIT PAPER NUMBER

2834

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/600,096

Applicant(s)

PARSONEAULT ET AL.

Examiner

Thanh Lam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 7,9-15 and 20-36 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5,8 and 16-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Election/Restrictions

1. Applicant's election of Species A, fig, 2, claims 1-5,8,16-19 in the reply filed on 12/03/2004 (see interview summary) is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5,8,16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Moritan et al. (US 5,623,382).

Regarding claim 1, Moritan et al. (see fig. 5) disclose a fluid dynamic bearing motor comprising: a rotor; a stationary sleeve disposed about a portion of the rotor and mounted to a base (212); a stator mounted to the stationary sleeve, a fluid dynamic bearing between the rotor and stationary sleeve; and a limiter (278) for restricting axial movement of the rotor with respect to the stationary sleeve.

Regarding claim 2, Moritan et al. disclose a portion of the rotor cooperating with the limiter comprises a shaft (263) rotating within the stationary sleeve.

Regarding claim 3, Moritan et al. disclose the rotor further a hub rotatably supported by the shaft; and a rotor magnetic (205) assembly affixed to the hub (262).

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Regarding claim 4, Moritan et al. disclose the rotor is adapted to support at least one disk.

Regarding claim 5, Moritan et al. disclose the limiter comprises an element that protrudes into or from a surface of the hub.

Regarding claim 8, Moritan et al. disclose the element comprises a pin (278) that protrudes from the stationary sleeve and into a recess (263a) in the shaft.

Regarding claim 16, Moritan et al. disclose a fluid dynamic bearing motor comprising: a stator (211), rotor (260) means disposed proximate the stator, for rotating upon the stator being energized, bearing means, between said stator and rotor means, for enabling the rotor means to rotate relative to the stator; and limiter (278) means for restricting axial movement of the rotor means with respect to the stator.

Regarding claim 16, Moritan et al. disclose the rotor means further comprises: a shaft; a hub rotatably supported by the shaft, and a rotor magnetic assembly affixed to the hub.

Regarding claim 17, Moritan et al. disclose the limiter means comprises an element (278) that protrudes into or from a surface of the hub.


Regarding claim 18, Moritan et al. disclose the element comprises at least one of the following: a screw, a pin (278), a block, or a flange.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (571) 272-2026. The examiner can normally be reached on t-f 9-7.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren E Schuberg can be reached on (571) 272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thanh Lam
Primary Examiner
Art Unit 2834
